

Practitioner's Docket No. 7167-1-MAT

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Appleby, A. John, et al.

Application No.: 09/779,872

Group No.: Unknown

Filed: 02/08/2001

Examiner: Unknown

For: FUEL CELL WITH MONOLITHIC FLOW-FIELD-BIPOLAR PLATE ASSEMBLY AND  
METHOD FOR MAKING AND COOLING A FUEL CELL STACK

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Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)

I hereby certify that the attached correspondence comprising:

Third Party Submission in Published Application Under 37 C.F.R. §1.99  
Six (6) Cited References  
Check in the amount of \$180.00  
Acknowledgement of Receipt/Return Card

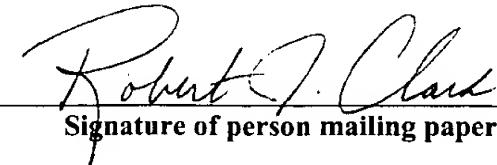
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is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

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Robert J. Clark

  
Signature of person mailing paper



Attorney Docket No. 7167-1-MAT  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor:** Appleby, A. John, et al.      **Examiner:** Unknown  
**Serial No.:** 09/779,872      **Art Unit:** Unknown  
**Publication No. :** US 2001/0033956      **Publication Date:** October 25, 2001  
**Filed:** February 8, 2001      **Date:** December 19, 2001  
**For:** **FUEL CELL WITH MONOLITHIC FLOW FIELD-BIPOLAR PLATE ASSEMBLY AND METHOD FOR MAKING AND COOLING A FUEL CELL STACK**

**To:** *The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231*

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**THIRD PARTY SUBMISSION IN PUBLISHED APPLICATION  
UNDER 37 C.F.R. § 1.99**

This Third Party Submission in Published Application Under 37 C.F.R. §1.99 is filed within two (2) months of the date of publication of the application §1.215(a) and is believed to be filed prior to the mailing of a notice of allowance §1.311, and is, therefore, considered timely under 37 C.F.R. §1.99(e). The fee under 37 C.F.R. §1.17(p) is enclosed herein as required under 37 C.F.R. §1.99(b)(1).

This Third Party Submission in Published Application has been served upon the applicant in accordance with 37 C.F.R. §1.248 (See Proof of Service below) as required under 37 C.F.R. §1.99(c).

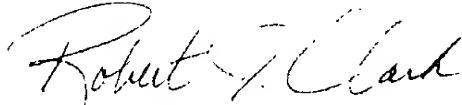
A list of four (4) U.S. patents and two (2) International patent applications submitted by the third party are listed in the table below as specified in 37 C.F.R. §1.99(b)(2). A copy of each submitted patent is enclosed herein as specified in 37 C.F.R. §1.99(b)(3).

**Table of Submitted Documents**

<b>Document No.</b>	<b>Issue Date</b>	<b>Name</b>
US Pat. No. 5,641,586	June 24, 1997	Mahlon S. Wilson
US Pat. No. 5,776,624	July 7, 1998	Jay Kevin Neutzler
US Pat. No. 5,981,098	November 9, 1999	Nicholas G. Vitale
WO 00/69003 A3	November 16, 2000	Carlos Salinas
WO 01/15257 A2	March 1, 2001	Glenn A. Eisman
US Pat. No. 6,232,010 B1	May 15, 2001	Alan J. Cisar

The foregoing Third Party Submission in Published Application meets all the requirements under 37 C.F.R. §1.99. Accordingly, it is requested that this Third Party Submission in Published Application be entered in the application file of U.S. Patent Application Serial Number 09/779,872 and brought before the examiner.

Respectfully submitted,



Robert J. Clark  
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Attorney Docket No. 7167-1-MAT

#### **Proof of Service**

I hereby certify that a true and correct copy of this THIRD PARTY SUBMISSION IN PUBLISHED APPLICATION UNDER 37 C.F.R. § 1.99 is being mailed first class mail, postage prepaid, this 19th day of December 2001, to Janelle Waack, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, TX 77057.

Robert J. Clark